

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

RONALD SATISH EMRIT

PLAINTIFF

v.

CIVIL ACTION NO. 3:23CV101-MPM-RP

SABINE AISHA JULES

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION OF DISMISSAL

On April 18, 2023, Judge Percy entered an R&R recommending that this case be dismissed as frivolous. In so recommending, Judge Percy wrote that:

Plaintiff seeks to have a prior marriage to Sabine Aisha Jules annulled. Plaintiff and Defendant were married in Clark County, Nevada on August 31, 2022 and were divorced in 2006. Plaintiff is unsure of Defendant's exact whereabouts, but he believes she lives in the vicinity of Fort Lauderdale and/or Broward County, Florida. Plaintiff acknowledges that "the court does not already have personal or subject matter jurisdiction over this issue," but asserts that the "U.S. District Court for the District of Eastern Kentucky has jurisdiction over this matter because there is complete diversity of jurisdiction between the Plaintiff and the five defendants given that the plaintiff lives in Sarasota, Florida and no longer in Fort Worth, Texas." Docket 1, p. 4-5. Later in his Complaint, he asserts that the court has jurisdiction on the grounds of diversity and federal question. Docket 1, p. 5. It is not clear how Plaintiff believes that the Federal Court of the Northern District of Mississippi has either subject matter or personal jurisdiction over the annulment of Plaintiff's marriage to Defendant. Neither party resides in Mississippi and the marriage did not occur in Mississippi. The only states that appear to have any connection to the subject marriage appear to be the state where the union occurred, Nevada, and the state where the parties reside, Florida. Further, Plaintiff has provided no authority under which this court could exercise subject matter jurisdiction. If both parties reside in Florida, there is no diversity of citizenship. Additionally, there is no specific federal question alleged that could even arguably be at issue in the subject marriage. What is clear is that the Plaintiff has failed to properly assert a claim on which relief can be granted in this court. The undersigned recommends that Plaintiff's case be dismissed as frivolous and that his application to proceed *in forma pauperis* be DENIED as moot.

[Order at 3].

Plaintiff has failed to respond to Judge Percy's R&R within the allotted time period, and this court finds the R&R persuasive and adopts it as its own. It is therefore ordered that this case is dismissed as frivolous.

A separate judgment will be entered this date pursuant to Fed. R. Civ. P. 58.

This, the 11 day of May, 2023.

A handwritten signature in blue ink, consisting of a large loop followed by a series of connected strokes.

**UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI**